

United States District Court
For The Western District of North Carolina

UNITED STATES OF AMERICA

V.

VINTAGE PHARMACEUTICALS, INC.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 3:04cr201-1-Mu

USM Number:

Mark Brown
Defendant's Attorney**FILED**
CHARLOTTE, N. C.**JUN 22 2006**

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 21s-39s.
☐ Pled nolo contendere to count(s) which was accepted by the court.
☐ Was found guilty on count(s) after a plea of not guilty.

U. S. DISTRICT COURT
W. DIST. OF N. C.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
21:331(a), 21:333(a)(2) & 21:351(a)(2)(B)	Felony introduction into commerce of an adulterated drug	2/7/2000	21s
		1/27/2000	22s
		2/9/2000	23s
		3/28/2000	24s-25s
		3/31/2000	26s-27s
		4/19/2000	28s-29s
		5/10/2000	30s
		5/24/2000	31s
		6/1/2000	32s-33s
		6/26/2000	34s
		7/21/2000	35s
		7/25/2000	36s
		8/15/2000	37s-38s
		10/9/2000	39s

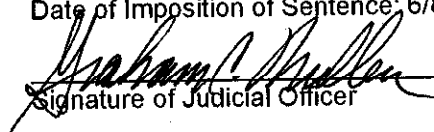
The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

The defendant has been found not guilty on count(s).

- ☒ Count(s) 1-235, 1s-20s, 40s-61s (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 6/8/2006


Graham C. Mullen
United States Senior JudgeDate: 22 June 06

Defendant: VINTAGE PHARMACEUTICALS, INC.
Case Number: 3:04cr201-1-Mu

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
\$7,600.00	\$4,800,000.00	\$0.00

FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

- ☒ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

COURT APPOINTED COUNSEL FEES

- ☐ The defendant shall pay court appointed counsel fees.
- ☐ The defendant shall pay \$ _____ Towards court appointed fees.

Defendant: VINTAGE PHARMACEUTICALS, INC.
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 4,807,600.00 due immediately, balance due
☒ not later than close of business day on Monday, June 12, 2006, or
☐ In accordance ☐ (C), ☐ (D) below; or
- B ☐ Payment to begin immediately (may be combined with ☐ (C), ☐ (D) below); or
- C ☐ Payment in equal _____ (E.g. weekly, monthly, quarterly) installments of \$ _____ To commence _____
_____ (E.g. 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (E.g. weekly, monthly, quarterly) installments of \$ _____ To commence _____
_____ (E.g. 30 or 60 days) after release from imprisonment to a term of supervision. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. Probation Officer shall pursue collection of the amount due, and may request the court to establish or modify a payment schedule if appropriate 18 U.S.C. § 3572.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ The defendant shall pay the cost of prosecution.
☐ The defendant shall pay the following court costs:
☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the United States District Court Clerk, 401 West Trade Street, Room 210, Charlotte, NC 28202, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program. All criminal monetary penalty payments are to be made as directed by the court.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.